

MAR. 23. 2004 4:20PM 858 792-6773 FOLEY AND LARDNER

NO. 9270 P. 1

FOLEY

FOLEY & LARDNER LLP
ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
P.O. BOX 80278
SAN DIEGO, CALIFORNIA 92138-0278
TELEPHONE: 858.847.6700
FACSIMILE: 858.792.6773
WWW.FOLEY.COM

OFFICIAL

RECEIVED
CENTRAL FAX CENTER

FACSIMILE TRANSMISSION MAR 23 2004

Total # of Pages 12 (including this page)

TO:	PHONE #:	FAX #:
Mail Stop RCE U.S. Patent & Trademark Office		(703) 872-9306

From : Stacy L. Taylor

Date : March 22, 2004

Client/Matter No : 041673-2069

USSN : 08/982,272

Filing Date : December 1, 1997

Examiner : Phillip Gabel

User ID No : 3054

MESSAGE:

OFFICIAL

Transmitted herewith for filing in the above-referenced application is the following.

- 1) RCE (2 pages) in Duplicate; and
- 2) Amendment and Reply (7 pages).

Thank you.

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6758.

Operator:	Time Sent:	Return Original To: Line S. Gauthier
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

MAR. 23. 2004 4:21PM 858 792-6773 FOLEY AND LARDNER

NO. 9270 P. 2

Atty. Dkt. No. 041673-2069

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas J. Kipps

Title: NOVEL EXPRESSION VECTORS
CONTAINING ACCESSORY MOLECULE
LIGAND GENES AND THEIR USE FOR
IMMUNOMODULATION AND
TREATMENT OF MALIGNANCIES AND
AUTOIMMUNE DISEASE

Appl. No.: 08/982,272

Appl. Filing Date: 12/01/1997

Examiner: Phillip Gambil

Art Unit: 1644

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<i>Line Gauthier</i> (Printed Name)	
<i>Line Gauthier</i> (Signature)	
March 23, 2004 (Date of Deposit)	

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

Enclosed are:

Amendment/Reply.

DLMR251245.1

-1-

PAGE 2/12 * RCVD AT 3/23/2004 7:20:55 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSID: * DURATION (mm:ss):03:14

MAR. 23. 2004 4:21PM 858 792-6773 FOLEY AND LARDNER

NO. 9270 P. 3

Atty. Dkt. No. 041673-2069

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	\$770.00
Total Claims:	15	- 20	= 0	x \$18.00	\$0.00
Independents	1	- 3	= 0	x \$86.00	\$0.00
First presentation of any Multiple Dependent Claims:			+ \$290.00		\$0.00
				CLAIMS FEE TOTAL:	= \$770.00
				CLAIMS AND EXTENSION FEE TOTAL:	\$770.00
[X]				Small Entity Fees Apply (subtract 1/2 of above):	\$385.00
[]				Suspension of action requested under 37 C.F.R. § 1.103(c)	\$0.00
				TOTAL FEE:	\$385.00

[X] Please charge Deposit Account No. 50-0872 in the amount of \$385.00. A duplicate copy of this transmittal is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date 3-22-04

Respectfully submitted,

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6720
Facsimile: (858) 792-6773

By Stacy L. Taylor
Stacy L. Taylor
Attorney for Applicant
Registration No. 34,842

MAR. 23. 2004 4:21PM 858 792-6773 FOLEY AND LARDNER

NO. 9270 P. 4

Arty. Dkt. No. 041673-2069

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Thomas J. Kipps

Title: NOVEL EXPRESSION VECTORS
CONTAINING ACCESSORY MOLECULE
LIGAND GENES AND THEIR USE FOR
IMMUNOMODULATION AND
TREATMENT OF MALIGNANCIES AND
AUTOIMMUNE DISEASE

Appl. No.: 08/982,272

Appl. Filing Date: 12/01/1997

Examiner: Phillip Gambel

Art Unit: 1644

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<u>Line Gauthier</u> (Printed Name)	
<u>Line Gauthier</u> (Signature)	
March 23, 2004 (Date of Deposit)	

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

Enclosed are:

Amendment/Reply.

MAR. 23. 2004 4:21PM 858 792-6773 FOLEY AND LARDNER

NO. 9270 P.5

Atty. Dkt. No. 041673-2069

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	15	- 20	= 0	x \$18.00	= \$0.00
Independents	1	- 3	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$290.00		= \$0.00
				CLAIMS FEE TOTAL:	= \$770.00
				CLAIMS AND EXTENSION FEE TOTAL:	\$770.00
[X]				Small Entity Fees Apply (subtract 1/2 of above):	\$385.00
[]				Suspension of action requested under 37 C.F.R. § 1.103(c)	\$0.00
				TOTAL FEE:	\$385.00

[X] Please charge Deposit Account No. 50-0872 in the amount of \$385.00. A duplicate copy of this transmittal is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Date 3-23-04

Respectfully submitted,

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6720
Facsimile: (858) 792-6773

By Stacy L. Taylor
Stacy L. Taylor
Attorney for Applicant
Registration No. 34,842

OFFICIAL

Atty. Dkt. No. 041673-2069

RECEIVED

CENTRAL FAX CENTER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 23 2004

Applicant: Thomas J. Kipps

Title: NOVEL EXPRESSION VECTORS
CONTAINING ACCESSORY
MOLECULE LIGAND GENES
AND THEIR USE FOR
IMMUNOMODULATION AND
TREATMENT OF
MALIGNANCIES AND
AUTOIMMUNE DISEASE

Appl. No.: 08/982,272

Filing Date: 12/01/1997

Examiner: Phillip Gabel

Art Unit: 1644

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
United States Patent and Trademark Office, Alexandria, Virginia
on the date below.

LINE GAUTIER
(Printed Name)
René Gautier
(Signature)
March 23, 2004
(Date of Deposit)

Mail Stop AFTER FINAL AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Advisory Action dated 03/19/04, concerning the
above-referenced patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2
of this document

Remarks/Arguments begin on page 4 of this document.